

91-CR-00292-OBJ

Judge Robert E. Coyle Magistrate John L. Weinberg

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UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, et al.,

Plaintiffs,

STATE OF WASHINGTON, et al.,

Defendants.

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Civil No. 9213 - Phase I

ORDER RE SERVICE LIST

In order to ensure that the Court, the clerk's office, the magistrate, the special master, if any, the court's advisor, counsel and all others entitled or required to be served receive all appropriate papers filed in Phase I of United States v. Washington, it is ordered that the following procedures be observed:

- Official Service List. The Clerk of the Court is to 1. maintain and keep an Official Service List, in the form attached hereto, which will include the following:
 - A Master Service List which will include the following:

ORDER RE SERVICE LIST - 1

clerk, and the court advisor, who are to receive all filings. The name, address and phone number, and a ii. designation of the party or parties being represented, of each plaintiff's counsel who is to receive all filings. This list should include all plaintiffs' counsel who have made general appearances for one or 101 more Tribes and the names of the Tribes represented. The name, address and phone number, and a designation of the party or parties being represented. of each defendant's counsel who is to receive all filings. 15 i The name, address and phone number, and a iv. 161 designation of the amicus or amici being represented, of each amicus' counsel who is to receive all filings. The name, address and phone number of each other party, amicus or person who is to receive all filings. The name, address and phone number and, in the case of counsel, a designation of the party or parties being represented, of each counsel for any plaintiff, defendant, amicus or other party, and each other party, amicus or person who is to receive all initial filings. 28

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ORDER RE SERVICE LIST - 2

The name, address and phone number of the

judge, the magistrate, the special master, if any, the

b. Individual service lists by subproceeding number which will contain the following:

i. The name, address and phone number and, in the case of counsel, a designation of the party or parties being represented, of each counsel or other person, including any special master, and each other person or party who does not appear on the Master Service List and who is to receive all filings in that subproceeding.

ii. The name, address and phone number and, in the case of counsel, a designation of the party or parties being represented, of each counsel and each other party or person who is designated on the Master Service List as receiving initial pleadings only and who is to receive all filings in that subproceeding.

iii. The name, address and phone number, and a designation of the party or parties being represented, of each counsel who appears on the Master Service List and who is representing a party or parties in that subproceeding in addition to the party or parties designated on the Master Service List.

Provided, that no individual service list need be maintained for any subproceeding in which service and representation of the parties are to be identical to that set forth on the Master Service List.

2. Additions and Revisions. Whenever there is any

addition or revision to the Master Service List or the service list for any subproceeding, or a service list for a subproceeding where an individual service list was not previously required, as soon as possible, the Clerk of the Court shall distribute the revised Master Service or the revised or new service list for the individual subproceeding, with the date of the new or revised service list shown thereon, to the court, the magistrate, the special master, if any, the court technical advisor, all counsel and any other party, amicus or person on the Official Service List, including all counsel and all parties, amici or persons on the Master Service List and the service lists for each individual subproceeding.

Appearances and Notices.

- a. Whenever any counsel makes a general appearance, that counsel shall be responsible for obtaining a current Official Service List and shall serve a written notice of appearance, by separate pleading, on the court, the magistrate, any special master, the court advisor, all counsel and other parties, amici or persons on the Master Service List and on all counsel and other parties or persons on each of the service lists for the individual subproceedings, and shall file the same with the Clerk.
- b. Whenever any counsel who has made a general appearance, is substituted for by other counsel or associates with other counsel, or has a change of address, phone number or any other change, that counsel shall be

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responsible for serving written notice of the same, by separate pleading, on the court, the magistrate, any special master, the court advisor, all counsel and other parties, amici or persons on the Master Service List and on all counsel and other parties or persons on each of the service lists for the individual subproceedings, and shall file the same with the Clerk.

- appearance, makes an appearance for some limited purpose or subproceeding, that counsel shall be responsible for obtaining a current Official Service List and shall serve a written notice of appearance, by separate pleading, specifying the limited purpose or subproceeding for which the appearance is being made, on the court, the magistrate, any special master, the court advisor, all counsel and other parties, amici or persons on the Master Service List and on all counsel and other parties, if any, for the individual subproceeding for which an appearance is being made, and shall file the same with the Clerk.
- d. Whenever any counsel, who has made a limited appearance, is substituted for by other counsel or associates with other counsel, or has a change of address, phone number or any other change, that counsel shall be responsible for serving written notice of the same, by separate pleading, on the court, the magistrate, any special

master, the court advisor, all counsel and other parties.

amici or persons on the Master Service List and on all

counsel and other parties, amici or persons on the service

list, if any, for the individual subproceeding to which the

notice applies, and shall file the same with the Clerk.

- e. Whenever any authorized person other than counsel makes a general or limited appearance, is substituted by or associates with another, or has a change of address, phone number or other change, such person shall serve and file like notice as is required of counsel in subparagraphs 3.a. through 3.d. of this Order.
- 4. Participation. All counsel or other authorized persons who have made either a general appearance or an appearance in a particular subproceeding may participate in that subproceeding at any stage of the litigation but such participation shall be governed by the schedules, orders and other arrangements in place in that subproceeding.
- Substantially the form of the attached Certificate of Service shall be served with each pleading or other paper required to be served. It shall not be necessary for a copy of the Official Service List, or any portion thereof, showing upon whom service has been made to be served with the Certificate of Service; provided, that a copy of the Official Service List, or portion thereof, showing upon whom service has been made shall be filed with the original Certificate of Service filed with the clerk of

the court.

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6. Notice Re: Discovery. Any party or other authorized person serving interrogatories, requests for documents, requests for admissions, or answers and responses thereto, may serve a notice in substantially the form of the attached Notice Re: Discovery, (a) in the case of interrogatories and requests, upon persons other than the party to whom the interrogatories and requests are directed, and (b) in the case of answers and responses, upon persons other than the party who propounded the interrogatories and requests, in lieu of service of such papers. The Notice Re: Discovery and the papers required in paragraph 5 of this order shall be filed with the clerk. Any party who has not been served with interrogatories and requests or answers and responses thereto, may request a copy of such papers. All such requests for copies shall be complied with within five days of service of the request.

- 7. Mailing of Orders, etc. Notwithstanding the other provisions of this order, the Clerk of the Court shall continue to mail copies of all orders, minute orders, docket sheets and materials relating to appeals to all counsel and to all other persons listed on the Official Service List, whether appearing generally or for a limited purpose or subproceeding.
- 8. Mailing of Reports and Recommendations. The magistrate and any special master shall mail copies of all reports and recommendations in accordance with paragraph 2 of this Order.
 - 9. Amici. Notwithstanding the other provisions of this

order, any person or entity which desires to participate in any subproceeding as amicus, including the amici named on the Master Service List, shall file a motion to appear as amicus in that subproceeding in conformity with the applicable court rules relating to motions, and pending the granting or denial of such motion, counsel for such person or entity need be served only with those filings specifically relating to the motion to appear 8 li as amicus, and the Clerk, magistrate, or any special master, as the case may be, need only mail to counsel for such person or 10 entity those orders, or reports and recommendations specifically relating to such motion.

- 10. Copy of Order. Upon any appearance of any counsel or other person or party not on the Official Service List attached hereto, the Clerk shall mail such party a copy of this order and a copy of the current Official Service List, if not previously requested and obtained by such person or party.
- Effective Date. Effective immediately, the attached Official Service List dated September 14, 1987, shall be the Official Service List for Phase I of these proceedings, subject to subsequent changes pursuant to the terms of this order, and such Official Service List supercedes all other service lists.

Dated this 20th day of

Robert E.

United States Distrikt Court Judge

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Judge Robert E. Coyle Magistrate John L. Weinberg UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE 10 UNITED STATES OF AMERICA, et 11 al., Civil No. 9213 - Phase I 12 Plaintiffs, CERTIFICATE OF SERVICE 13 ٧. Sub-Proceeding No. STATE OF WASHINGTON, et al., 15 Defendants. 16 I hereby certify that I served the documents listed below by 17 personal service or by causing to have mailed a copy of same, 18 postage prepaid, on (date) , to the persons required to be 19 served in this subproceeding whose names appear on the following 20 service lists: 21 1. Master Service List, dated (date) 22 Subproceeding No. ____ Service List, dated __(date) 23 The documents served are as follows: 24 Certificate of Service; 25 2. 26 3. 27 28 CERTIFICATE OF SERVICE - 1

Dated:

(Signature of Attorney) Attorney at Law

Judge Robert E. Coyle Magistrate John L. Weinberg 2 3 5 б 7 8 UNITED STATES DISTRICT COURT 9 WESTERN DISTRICT OF WASHINGTON AT SEATTLE 10 UNITED STATES OF AMERICA, et 11 al., Civil No. 9213 - Phase I 12 Plaintiffs, NOTICE RE: DISCOVERY 13 ν. Sub-Proceeding No. STATE OF WASHINGTON, et al., 14 15 Defendants. 16 PLEASE TAKE NOTICE THAT the following interrogatories 17 (requests for production) (requests for admissions) (answers and 18 responses) were served upon _____ 19 (name of person) attorney for (name of party) 20 21 19 22 1. 23 2. 24 Any person requesting a copy of the same should direct his 25 or her request in writing to the undersigned. 26 27 NOTICE RE: DISCOVERY - 1

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(Signature of Attorney) Attorney at Law

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